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ADOPT

BY-LAWS

OF THE

MUNICIPAL COUNCIL

OF THE

JOHNSTOWN DISTRICT,

ADOPTED AT THEIR THIRD SESSION, HELD AT BROCKVILLE,

IN AUGUST 1842.

PRINTED AT THE STATESMAN OFFICE.

1842.

Belonging to the Department of the Interior, Bureau of Land Management, Washington, D. C.

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B Y - L A W

Relating to the Assessment of the District of Johnstown for the year 1842.

WHEREAS, it is expedient that a sufficient sum should be raised in the District of Johnstown, to meet the current expenses of the District for the year of our Lord one thousand eight hundred and forty-two: Be it enacted by the Councillors of the District of Johnstown, in Council assembled, on the eleventh day of August in the year aforesaid, by virtue and under the authority of a certain act of the Legislature of this Province, passed in the fourth and fifth years of the Reign of Her Majesty Queen Victoria, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal Authorities therein." That for the year of our Lord one thousand eight hundred and forty-two, there be, by assessment, raised, levied and collected from and upon all the assessed real and personal property in the said District, according to the respective values assigned to the same by the assessment laws of that part of the said Province which formerly constituted the Province of Upper Canada, the sum of one penny in the pound.

Section 2. That the said Rates shall be equally apportioned by the proper Officer, on the said property, according to their respective values as aforesaid, and that the same shall be levied and collected by the Collectors for the several Townships, reputed Townships or places in the said District, in the manner as by Law is now provided, and shall be paid by them to the Treasurer of the said District in the ordinary manner provided by law, which assessment, to defray the current expenses of the District as aforesaid, shall amount, in the aggregate, to the sum of £1678 16s. 9d. to be apportioned in the following manner and no other,

that is to say: First, the sum of £555 6s. 11½d. for the expenses of levying, collecting and managing the rates and taxes imposed on the District, being the first charge imposed by the 59th "section of the Municipal District Council Act" on the District Funds; that is to say:—

For Assessors, average one per cent on the rates collected in 1841, at one penny in the pound,	£107 6 2½
For Collectors, average,	231 16 4½
For estimated loss by absentees and indigent persons,	121 14 4
For officer for making up Assessment Rolls, and other duties connected therewith,	94 10 0
	<hr/> £555 6 11½

Second,—The sum of £582 15s. 0d. for the expenses connected with the Administration of Justice, under the following heads: Sheriff, Coroners, Clerk of the Peace, Surgeon of the District Gaol, Gaoler for the care, support and keeping of prisoners, for Constables, for repairs of the temporary Court House, for conveying Felons to the Penitentiary, and for other incidental expenses connected with the Administration of Justice, as aforesaid, being the second charge imposed by law on the District Funds, that is to say:—

To the Sheriff for summoning Juries and attending Courts,	£ 50 0 0
For Coroners, on an average, per annum,	30 0 0
For the Clerk of the Peace,	102 15 0
For the Surgeon of the District Gaol,	15 0 0
For the Gaoler,	120 0 0
For the care, support and keeping of Prisoners,	100 0 0
For Constables (say 50) at £1 10s. 0d.,	75 0 0
For repairs of temporary Court House,	5 0 0
For conveying Felons to the Provincial Penitentiary,	10 0 0
And for other incidental expenses connected with the Administration of Justice,	75 0 0
	<hr/> £582 15 0

Third,—For debts due by the District before the first day of January, 1842, the sum of £—

Fourth,—The sum of £207 for all sums now payable out of the funds of the District, for any public purpose whatsoever, other than before mentioned, and not within the scope of the powers of the District Council, being the fourth charge imposed by law on the District Funds, that is to say :

For the Treasurer's per centage, calculated on the same raised in 1841 by the rate of one penny in the pound,	£65 10 0
For Township Clerks, 13 in number, at £5 each, per annum,	65 0 0
For Surveyor of Highways, calculated at an annual average,	36 0 0
For Bounty on the destruction of Wolves, calculated on amount paid in 1841,	40 10 0
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	£207 0 0

Fifth,—The sum of £333 14s. 10d. for the following expenses, and in the following order, being the fifth charge imposed on the District Funds, and included in the aggregate sum first above mentioned, that is to say :—

For two auditors at £10 each per annum,	£ 20 0 0
For Clerk of the District Council per annum,	102 15 0
For Messenger and Constable in attendance (say 2, for 5 days, at 5s. each per day,)	10 0 0
For Printing, Postage and Stationery,	60 0 0
For repairs, wood, candles, seal and incidental expenses,	6 0 0
For District Surveyor at 15s. per day,	30 0 0
For internal improvements and contingencies,	104 19 10
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	£333 14 10

Section 3. That the Salaries of all District Officers, and all sums to be paid under the authority of the Council, except when otherwise provided for, shall be paid and payable, under an order for that purpose made by the Council

and certified by the Clerk thereof, quarterly, that is to say: on the third Tuesday in the months of February, May, August and November in each year, and that the said several orders and certificates shall be acquitted by the said Officers, and others receiving the same, by giving duplicate receipts, one of which to be lodged with the Treasurer of the District, and the other to be lodged with the Auditors for the purposes hereinafter mentioned.

Section 4. That the better to enable the Auditors of the District to audit the accounts of the same, it shall be absolutely necessary for all public officers and others, paying money into the Treasury, to receive duplicate receipts for the same, one of which every person so paying moneys as aforesaid into the Treasury, shall keep himself, and shall lodge the other with the Auditors of the District, after which he shall be deemed to be fully discharged.

Section 5. That any balance remaining in the hands of the Treasurer, from taxes heretofore, now, or hereafter to be raised in this District, by virtue of this, or any other act, by-law or ordinance, shall be accounted for in a regular manner and carried into the accounts for the following year, to the credit of the District.

Section 6. That if it shall so happen, that the whole sum provided for by this By-Law, or by any other act or ordinance heretofore made for the current expenses of the District, shall fall short of the same in this present year, that the deficiency shall be made up in the ensuing year, in the usual manner, under the usual heads and in the order required by law, as it now stands.

W. MORRIS,
Warden Johnstown District.

B Y - L A W

To provide for the filling up of vacancies in certain Township or Parish offices.

WHEREAS, in certain Townships of this District, individuals

have been appointed by the people, at their annual Town meetings assembled, to fill the situation of Overseer of Highways ; and whereas, in some cases, such individuals, so appointed as aforesaid, have neglected or refused to act as such Overseers of Highways ; and whereas it is desirable to provide by some general By-Law for that purpose, to be made by the Council of the District, for the filling up of all vacancies that have occurred, or that may hereafter occur, in the offices of Town Clerk, Assessor, Collector, Overseer of Highways, Pound-keeper, or other Parish or Township officer authorised by law, to be appointed by the inhabitant householders of each Township respectively, at their annual Town meetings assembled : Be it therefore enacted and ordained, and it is hereby enacted and ordained by the Municipal Council of the District of Johnstown, duly assembled at the Town of Brockville, in the said District, on the eleventh day of August in the year of our Lord one thousand eight hundred and forty-two, That whenever a vacancy shall occur in the office of Town Clerk, Assessor, Collector, Overseer of Highways, Pound-keeper, Surveyor of Highways, or other Township or Parish officer, as aforesaid, which vacancy was occasioned either by the omission or neglect of appointment at the annual Town meeting, or, if appointed, by the death, removal from the Township, or neglect or refusal of the person appointed to act as such Township or Parish officer, every such vacancy shall be supplied and filled by a proper person eligible in law to fill the office, to be chosen and selected by the Councillor or Councillors (as the case may be) representing the Township in which any such vacancy may occur, in the Council of the District, and every such person so appointed by the Councillor or Councillors (as the case may be) shall have full power to do all lawful acts, and to be obeyed in such office, as if he had been chosen and appointed by the inhabitant householders of every such Township at their annual Town meeting, as aforesaid.

Section 2. That no person appointed to any of the said offices by the Councillor or Councillors as aforesaid, shall be capable of exercising the duties of any such office, or of

doing any matter or thing in pursuance of such appointment, until he shall have received an authority for so doing under the hand and seal of the Councillor or Councillors (as the case may be) by whom he shall have been chosen and appointed, nor until he shall have given all proper security, and taken and subscribed all oaths and declarations required by law to be taken by every such officer, when appointed by the inhabitant householders at their annual Town meetings assembled.

Section 3. That whenever any person shall be appointed to any Township or Parish office, by any Councillor or Councillors within this District, in pursuance of this By-Law, he shall be subject to the same conditions, penalties and qualifications for the performance of the duties of every such office, as if appointed by the inhabitant householders at their annual Town Meetings held pursuant to law.

Section 4. That in any Township, reputed Township or place, where it may have occurred, that the statute labor has not been performed and done in the month of June during the present year, pursuant to law, the same shall be done and performed before the expiration of the month of November next, under the authority of the Overseer of Highways for the Division, any thing in any By-Law of this Council or other usage, to the contrary notwithstanding.

W. MORRIS,

Warden Johnstown District.

B Y - L A W

To provide for the Assessment of the Wild Lands in certain Townships therein mentioned.

WHEREAS, the Inhabitants of the Townships of Yonge, Escott, Lansdown, Leeds, Bastard and South Crosby, in the District of Johnstown, have by Petition to the Provincial Parliament, and also to this Council, prayed that measures may be taken to render navigable the waters connecting the

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Town of Beverly in the Township of Bastard, with the Rideau Canal, by the Whitefish Falls, in the Township of South Crosby, and also the said waters flowing from Beverly aforesaid, to the St. Lawrence River, by Lyndhurst, Charleston, and Gananoque; and whereas it is highly desirable and necessary that steps should be taken to carry the proposed improvements, so much desired and prayed for by the people, into effect: Be it therefore enacted and ordained, and it is hereby enacted and ordained by the Municipal Council of the District of Johnstown, in Council assembled, on the eleventh day of August in the year of our Lord one thousand eight hundred and forty-two, that for the purposes aforesaid, there be raised, levied and assessed, on all lands within the said Townships of Yonge, Escott, Lansdown, Leeds, Bastard and South Crosby, unoccupied and unassessed, instead of the absentee wild land and road tax, for District purposes, and local improvements, the rate of one penny for each and every acre of land liable to assessment within the said Townships, which rate shall commence from and after the first day of July in the year of our Lord one thousand eight hundred and forty-two, and shall be paid to the Treasurer of the District, and which assessment shall not exceed the sum of Five Hundred Pounds in any one year.

Section 2. That in default of payment of the said rate of one penny for each and every acre of land unoccupied and unassessed, within the said Townships of Yonge, Escott, Lansdown, Leeds, Bastard and South Crosby, the same shall be collected by the Treasurer of the District, under the provisions of the several Statutes of the late Province of Upper Canada, passed for the purpose of levying, assessing and collecting, the absentee wild land tax.

Section 3. That the unoccupied lands of each and every inhabitant of any of the said Townships, situated in the Township in which any such inhabitant may reside, shall be subject to the same tax as unoccupied lands mentioned in the first section of this By-Law are subject to, and shall be rated for the same, on the assessment Rolls of their respective Townships, and shall be collected by the Treasurer,

in the manner and form pointed out by the second section of this By-Law.

W. MORRIS,

Warden Johnstown District.

BY-LAW

To provide for the payment of certain moneys applicable to Roads.

WHEREAS, many sums of public money paid by Justices of the Peace to Overseers of Highways, Town Clerks, and other public officers, are unexpended and unaccounted for: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, the eleventh day of August in the year of our Lord one thousand eight hundred and forty-two, That all sum or sums of money paid to any Overseer of Highways within this District, for the purpose of being expended on the public highways, shall be paid over by every such Overseer of Highways to the Clerk of the Township in which he shall be an Overseer of Highways, within thirty days after its receipt by such Overseer.

Section 2. That it shall be the duty of every such Town Clerk once in every year, that is to say, on or before the first day of May, to apply to and to receive from the Treasurer of the District, all moneys that may be then in the hands of that officer, collected for wild land assessment, and applicable to the Roads and Bridges within the Township for which he shall be Clerk.

Section 3. That every Town Clerk within the District shall make a quarterly return of all moneys paid into his hands, for public use and purposes, to the Councillor or Councillors (as the case may be) representing the Township for which he may be Clerk, setting forth by whom paid, and for what purpose particularly.

Section 4. That all moneys paid into the hands of any Township Clerk within this District, for the making or repairing of any public highway within the same, be paid over by every such Clerk to the order of the Councillor or Councillors (as the case may be) representing each and every Township in the Council of the District, to be by him or them expended within six months in the making or repairing of the public highways within the Township.

W. MORRIS,

Warden Johnstown District.

B Y - L A W

To establish a Road in the Township of South Gower.

WHEREAS, a road laid out by John R. Christie, Surveyor of Highways in and for the County of Grenville, commencing in the Township of South Gower, at a post marked A planted on the line in the open ground West side of the main road that runs between lots 6 and 7, in the fourth concession of the said Township, and thence in a course nearly parallel with the concession line West South West, crossing lots 7 and 8 to a post marked B planted in the open ground near the Bridge crossing Beache's Mill pond upon lot 9, and from thence to the main road running between South Gower and Oxford, the length of the Road surveyed being about one hundred and seventy rods, has been reported by him to the Council: Be it therefore ordained and enacted and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown in Council assembled, the eleventh day of August in the year of our Lord one thousand eight hundred and forty-two, that the said above described road be confirmed and the same is hereby confirmed.

W. MORRIS,

Warden Johnstown District.